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Intellectual Property Administration  
P.O. Box 272400  
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PATENT APPLICATION

ATTORNEY DOCKET NO. 100201346-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): James Stasiak et al

Confirmation No.: 4709

Application No.: 10/668558

Examiner: Weiss, Howard

Filing Date: Sep 22, 2003

Group Art Unit: 2814

Title: Nanometer-Scale Semiconductor Devices And Method Of Making

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 04/24/2006, rejecting the following claims 1-6,10-13,15-31,32-34,58 & 59. The fee for this Notice of Appeal is (37 CFR 1.17(B)) **\$500.00.**

(complete (a) or (b) as applicable )

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☒ 1st Month  
\$120

☐ 2nd Month  
\$450

☐ 3rd Month  
\$1020

☐ 4th Month  
\$1590

- ☐ The extension fee has already been filed in this application

- ☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$ 620.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit:

OR

- ☒ I hereby certify that this document is being transmitted to the United States Patent & Trademark Office via electronic filing.  
Date of Transmission: 08/24/2006

Typed Name: Trisha Melcher

Signature: Trisha Melcher

Respectfully submitted,

James Stasiak et al

By

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